

# Business Standard

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## FSSAI asks food commissioners to review pending cases

Food safety regulator FSSAI has directed the food safety commissioners of all States/UTs to examine all the pending cases against food business operators under various old laws that were repealed and withdraw those cases if found appropriate.

"We have written to Food Safety Commissioners of all States and Union Territories to examine all the pending cases under old laws including the Prevention of Food Adulteration Act, which is long dead and gone, and consider withdrawing them if found necessary," Food Safety and Standards Authority of [India](#) (FSSAI) CEO [Pawan Kumar](#) Agarwal told PTI.

The withdrawal of pending cases against food business operators would reduce the burden on judiciary, he said.

"Any violation which were criminal in nature in the old laws might not be criminal under the Food Safety and Standards Act 2006. So why not close those cases. It will reduce burden on state governments as well as judicial system," he said.

Asked about number of such cases, Agarwal said the it varies widely from several hundred cases in some states to 10-15 cases in others.

In a letter to the state food commissioners, FSSAI said that "a large number of cases under the Prevention of Food Adulteration Act and other orders specified in Schedule 2 of the Food Safety and Standards Act 2006 are still pending in various courts and tribunals across the country."

"In a sizable number of such cases, the offence alleged to have been committed

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may not be very serious in nature and the penalties/punishments prescribed for such offences are also not substantial," the regulator said

FSSAI noted that the pendency of such cases for a long time not only burdens the judicial system, but also diverts the scarce resources of the government in pursuing these matters.

Those resources should be rather deployed in effective implementation of the provisions of the FSS Act to ensure safe and wholesome food for the consumers, the regulator observed.

"In view of the above, the Commissioners of Food Safety of all States/UTs may like to examine all pending cases against food business operators under various provisions of various enactments and orders repealed on enactments of Food Safety and Standards Act, 2006 and take a view on withdrawal of the same if considered appropriate," the letter said.

FSSAI also asked the State food safety commissioners to share the result of this exercise from time to time.

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